



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George H. HOFFMAN et al.

Title: SYSTEM, METHOD AND COMPUTER
PROGRAM PRODUCT FOR AUCTIONING
SURPLUS PRODUCTS IN A SUPPLY CHAIN
MANAGEMENT FRAMEWORK

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MAY 20 2004
GROUP 3600

Appl. No.: 09/816,203

Filing Date: 03/23/2001

Examiner: Florian M. Zeender

Art Unit: 3626

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

05/20/2004 JADD01 00000038 09816203

02 FC:1806 180.00 OP

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date May 19, 2003

By 

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Date Submitted:

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Sheet 1 of 3

Complete if Known

Application Number	09/816,203
Filing Date	03/23/2001
First Named Inventor	George H. HOFFMAN et al.
Group Art Unit	3626
Examiner Name	Florian M. Zeender
Attorney Docket Number	062834-0195

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,204,821		Inui et al.	04-20-1993	
	A2	5,490,060		Malec et al.	02-06-1996	
	A3	5,638,519		Haluska	06-10-1997	
	A4	5,802,502		Gell et al.	09-01-1998	
	A5	5,854,746		Yamamoto et al.	12-29-1998	
	A6	5,898,765		Teglovic et al.	04-27-1999	
	A7	5,914,878		Yamamoto et al.	06-22-1999	
	A8	6,009,407		Garg	12-28-1999	
	A9	6,032,125		Ando	02-29-2000	
	A10	6,058,375		Park	05-02-2000	
	A11	6,061,691		Fox	05-09-2000	
	A12	6,078,900		Ettl et al.	06-20-2000	
	A13	6,141,653		Conklin et al.	10-31-2000	
	A14	6,167,378		Webber, Jr.	12-26-2000	
	A15	6,260,024	B1	Shkedy	07-10-2001	
	A16	6,266,652	B1	Godin et al.	07-24-2001	
	A17	6,338,050	B1	Conklin et al.	01-08-2002	
	A18	6,366,890	B1	Usrey	04-02-2002	
	A19	6,477,513	B1	Walker et al.	11-05-2002	
	A20	6,393,408	B1	Mosher et al.	05-21-2002	
	A21	6,486,899	B1	Bush, jr.	11-26-2002	
	A22	6,564,226	B1	Dickson et al.	05-13-2003	
	A23	6,587,827	B1	Hennig et al.	07-01-2003	
	A24	6,622,056	B1	Lindell	09-16-2003	
	A25	6,643,624	B2	Philippe et al.	11-04-2003	
	A26	6,609,101	B1	Landvater	08-19-2003	
	A27	6,697,702	B1	Hahn-Carlson	02-24-2004	
	A28	2001/0020230	A1	Kaneko et al.	09-06-2001	
	A29	2001/0032126	A1	Macartney-Filgate et al.	10-18-2001	
	A30	2002/0007324	A1	Centner et al.	01-17-2002	
	A31	2002/0016760	A1	Sanjesh	20-07-2002	
	A32	2002/0019761	A1	Lidow	02-14-2002	
	A33	2002/0034673	A1	Bisaka et al.	03-21-2002	
	A34	2002/0049649	A1	Kubota	04-25-2002	
	A35	2002/0069096	A1	Lindoefer et al.	06-06-2002	
	A36	2002/0069028	A1	Merz et al.	06-06-2002	
	A37	2002/0087371	A1	Abendroth	07-04-2002	
	A38	2002/0099598	A1	Eicher, Jr. et al.	07-25-2002	
	A39	2002/0107761	A1	Kark et al.	08-08-2002	
	A40	2002/0123945	A1	Booth et al.	09-05-2002	
	A41	2002/0128946	A1	Chehade et al.	09-12-2002	

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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U.S. Patent Document					
A42	2002/0143669	A1	Scheer	10-03-2002	RECEIVED MAY 20 2004 GROUP 3600
A43	2002/0143692	A1	Heimermann et al.	10-03-2002	
A44	2002/0147622	A1	Drolet et al.	10-10-2002	
A45	2002/0165806	A1	Kataria et al.	11-07-2002	
A46	2002/0169657	A1	Singh et al.	11-14-2002	
A47	2002/0169658	A1	Adler et al.	11-14-2002	
A48	2002/0188499	A1	Jenkins et al.	12-12-2002	
A49	2002/0194057	A1	Lidow	12-19-2002	
A50	2002/0194043	A1	Lidow	12-19-2002	
A51	2002/0198759	A1	Gilday et al.	12-26-2002	
A52	2003/0009392	A1	Perkowski	01-09-2003	
A53	2003/0208390	A1	Posner	11-6-2003	
A54	2003/0208434	A1	Posner	11-6-2003	
A55	2003/0212610	A1	Duffy et al.	11-13-2003	
A56	2003/0033192	A1	Zyman et al.	02-13-2003	

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A57	Noori, Hamid; Production and Operations Management; Total Quality Responsiveness; McGraw-Hill; 1995; pages 422-519	
	A58	Noori, Hamid; Production and Operations Management; Total Quality Responsiveness; McGraw-Hill; 1995; pages 592-601	
	A59	PR Newswire: Andersen Consulting Announce Strategic Alliance, Looksmart, September 6, 2000	
	A60	Stephanie Stahl, "A Whopping Inventory Task - Burger King's purchasing agency lures suppliers online to streamline its huge distribution system", INFORMATIONWEEK, 1994	

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	A61	John Rendleman, "Burger King Orders AT&T Mail Service", CommunicationsWeek, 1994.	
	A62	Microsoft Computer Dictionary, 4 th Edition, Microsoft Press, 1999, pages 167, 242, 334, 421, 443, 444 and 462	

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